

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Applicant:</b> Timothy M. Schaefer	<b>Docket No.</b> 51185-236984
<b>Serial No.:</b> To Be Assigned	
<b>Filed:</b> Herewith	
<b>For:</b> LATERAL MOTION MEMS SWITCH	

## COMBINED DECLARATION AND POWER OF ATTORNEY IN ORIGINAL APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled LATERAL MOTION MEMS SWITCH, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### Prior Foreign Application(s)

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Priority Claimed</u>
<u>None</u>	<u>          </u>	<u>                                </u>	Yes <u>    </u> No <u>    </u>
<u>          </u>	<u>          </u>	<u>                                </u>	Yes <u>    </u> No <u>    </u>

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Appln. Ser. No. None Filing Date            Status: patented, pending abandoned  
                                

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:  
Felicia J. Boyd, Reg. No. 32,683; Paul W. Busse, Reg. No. 32,403; Lynn C. Cameron, Reg. No. 44,581; John M. Haurykiewicz, Reg. No. 29,311; Robert B. Leonard, Reg. No. 33,946; Walter C. Linder, Reg. No. 31,707; Karl G. Schwappach, Reg. No. 35,786; William K. Weimer, Reg. No. 38,655; Gary S. Weinstein, Reg. No. 42,217; and Peter J. Georges, Reg. No. 25,867 (counsel's Washington, D. C. associate).

Address all correspondence to Walter C. Linder, FAEGRE & BENSON LLP, 2200 Wells Fargo Center, 90 South Seventh Street, Minneapolis, MN 55402-3901, telephone 612/766-8801.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: Timothy M. Schaefer

Inventor's signature: Timothy M. Schaefer

11/29/01  
Date

Residence: 5375 15<sup>th</sup> Street S.E., Rochester, Minnesota 55904

P.O. Address: same as above

Citizenship: USA

M2:20411666.01  
(F&B 12/6/99)

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**NONPROFIT ORGANIZATION  
SMALL ENTITY STATUS STATEMENT**

I am an official of the nonprofit organization identified below, and am empowered to act on behalf of the organization.

I hereby declare that the nonprofit organization qualifies as a nonprofit organization as defined in 37 CFR 1.9(e), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that it is tax exempt under the Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)).

I hereby declare that rights under contract or law to the invention described in the application attached hereto have been conveyed to and remain with the nonprofit organization. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention are listed below, and qualifies as an independent inventor under 37 CFR 1.9(c), if that person had made the invention, or qualifies as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

- ☒ No such person, concern or organization exists.
- ☐ Each such person, concern or organization is listed below. (NOTE: A separate small entity statement is required from each listed person, concern or organization.)

I acknowledge the duty under 37 CFR 1.28(b) to file, in this application, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Small Business Concern: Mayo Foundation for Medical  
Education and Research

Address of Small Business Concern: 200 First Street SW  
Rochester, MN 55905

Name of Person Signing: Rick F. Colvin

Title of Person Signing: Assistant Treasurer

Signature: Rick F. Colvin

12/3/01  
Date

M2:20411664.01